

PORTALE | RANDAZZO

January 19, 2024

Via ECF

Honorable Kenneth M. Karas
United States District Court
Southern District of New York
300 Quarropas Street
White Plains, New York 10606

**Re: Andrew Krivak, Jr. v. Putnam County, et al.
23 Civ. 6960 (KMK)**

Dear Judge Karas:

This firm represents the County of Putnam, Sheriff Robert Thoubboron, Investigators Harold Turner, Daniel Stephens, Patrick Castaldo, William Quick, John Daniel Rees, and William Asher, Putnam County District Attorneys Robert V. Tendy and Kevin Wright, Putnam County Assistant District Attorneys Larry Glasser, Chana Krauss and Christopher York, and District Attorney Investigator Ralph Cilento in the above-mentioned matter. I write this evening to request permission and leave to file a memorandum of law in support of Defendants Tendy, Wright, Glasser, Krauss, and York's Fed. R. Civ. P. 12(b)(6) motion to dismiss Plaintiff's Complaint (the PCDA Defendants) that exceeds the 25-page limit set forth in Your Honor's Individual Rules of Practice. The PCDA Defendants' memorandum of law is 28 pages in length, exceeding the limit by three pages. The memorandum exceeds the limit because the recitation of the factual background, with citations to Plaintiff's 106-page Complaint, is unavoidably lengthy to sufficiently set forth the facts relevant to the PCDA Defendants' argument that they are entitled to absolute immunity from suit and application of the law to the facts of this matter.

Thank you for Your Honor's consideration of this request.

Respectfully submitted,



Drew W. Sumner

cc: Counsel of record (via ECF)